

REMARKS

This Amendment, filed in reply to the Office Action dated January 28, 2009, is believed to be fully responsive to each point of objection and rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 56, 58-67, 69-73 and 75-81 are rejected. Claims 56 and 60 are amended herewith. Claim 60 is amended herewith to recite that “v is the integer 1 and L⁴ is an -NHCO(Alk²)_t- group in which Alk² is a straight or branched C₁₋₁₀ alkylene chain and t is zero or the integer 1.” Support for this amendment can be found throughout the Application as originally filed, and in, for example, original Claim 21. More specifically, in original Claim 21, by virtue of its dependency on original Claim 20, v is the integer 1 and t is zero or the integer 1. Further, support for the recitation that Alk² is “a straight or branched C₁₋₁₀ alkylene chain” is also found in original Claim 20, at lines 11-12. The amendments to Claim 56 are solely to improve clarity, and are editorial in nature.

No new matter is added by way of this amendment. Entry and consideration of this amendment are respectfully requested.

Claims 56, 58-67, 69-73 and 75-81 are Adequately Described Under 35 U.S.C. § 112

On page 3 of the Office Action, Claims 56, 58-67, 69-73 and 75-81 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

1. In one aspect of the rejection, the Examiner contends that the subject matter of Claim 56 lacks an adequate written description. Specifically, the Examiner appears to assert that R⁶ in Claim 56 is defined as a hydrocarbon chain containing 10-60 carbon atoms such that

there is at least a ten carbon atom spacing along R^6 between $[TM]_u-(L^4)_v-[R^7]_p-(L^3)_{q-}$ and $(L^1)_n-C(R^2)(R^3)(R^4)$, and that such subject matter is not disclosed in the application as filed.

Applicants strongly disagree with the rejection, and traverse in view of the following remarks.

Initially, Applicants note that the language of the rejection appears to have been duplicated from a rejection issued in the counterpart European Application; however, Applicants respectfully point out that instant Claim 56 does not recite that R^6 be a hydrocarbon chain containing 10-60 carbon atoms such that there is at least a ten carbon atom spacing along R^6 between $[TM]_u-(L^4)_v-[R^7]_p-(L^3)_{q-}$ and $(L^1)_n-C(R^2)(R^3)(R^4)$, as appears to be the Examiner's position. Rather, Applicants note that Claim 56 *as examined* recites that R^6 "is a hydrocarbon chain." Clearly, the rejection is directed against subject matter that Claim 56 does not recite, and therefore is inapplicable to Claim 56. The rejection is therefore in clear error, and should be withdrawn.

Withdrawal of the rejection is respectfully requested.

2. In a second aspect of the rejection, the Examiner further contends that the subject matter of Claim 56 lacks an adequate written description. Specifically, the Examiner appears to assert that Claim 60 recites that v is the integer 1, and L^4 is an $-NHC(Alk^2)_1$ group, and that such subject matter is not disclosed in the application as filed.

Applicants strongly disagree with the rejection, and traverse in view of the following remarks.

Initially, as with the rejection of Claim 56 discussed above, Applicants note that the language of this rejection also appears to have been duplicated from a rejection issued in the

counterpart European Application. Again, however, the rejection is directed against subject matter that the claim does not recite. Specifically, Applicants respectfully point out that Claim 60 *as examined* recites that “ L^4 is an $-NHCO(Alk^2)_t-$ group,” and does not recite that “ v is the integer 1,” as appears to be the Examiner’s position. Therefore, the rejection is inapplicable to Claim 60, and is thus in clear error.

Nevertheless, in the interest of compacting prosecution, and without acquiescing in the rejection, Applicants herewith amend Claim 60 to recite that “ v is the integer 1 and L^4 is an $-NHCO(Alk^3)_t-$ group in which Alk^2 is a straight or branched C_{1-10} alkylene chain and t is zero or the integer 1.” As discussed above, such subject matter is clearly and adequately described in the Application as originally filed, and at least by the subject matter of original Claim 21.

Withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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